



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,370	12/13/2005	Akihiro Nakamura	71,051-024	3844
27305 7590 05/22/2008 HOWARD & HOWARD ATTORNEYS, P.C. THE PINEHURST OFFICE CENTER, SUITE #101 39400 WOODWARD AVENUE BLOOMFIELD HILLS, MI 48304-5151				
EXAMINER				
PENG, KUO LIANG				
ART UNIT		PAPER NUMBER		
1796				
MAIL DATE		DELIVERY MODE		
05/22/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10560370	12/13/2005	NAKAMURA, AKIHIRO	71,051-024

EXAMINER

Kuo-Liang Peng

ART UNIT	PAPER
1796	20080524

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Applicant's election with traverse of Claims 1-2 and 4-6 in the response to restriction requirement filed April 4, 2008 is acknowledged. The traversal is on the ground(s) that the invention restriction should have been species election. This is not found persuasive because of the following reasons:

First, as the captioned application was filed under 35 USC 371 (not under 35 USC 111(a)), the invention restriction was adequately made based on PCT Rule 13.1 and 37 CFR 1.499 as set forth in the restriction requirement. Examiner would like to further draw Applicants' attention particularly to 37 CFR 1.475 (b) and (c). Therefore, the practice of species election according to 37 CFR 1.146 for the non-provisional application filed under 35 USC 111(a) does not appear to be applicable here.

Second, the claim language "an aromatic amine compound AND/OR an organopolysiloxane containing aromatic amino groups" recited in Claim 1 clearly indicates that the aromatic amine compound is indeed distinct from the organopolysiloxane containing aromatic amine group. (Emphasis added) As such, the "aromatic amine compound" is construed as any aromatic amine compound other than an ORANGOPOLYSILOXANE containing aromatic amino group.

Third, Applicants might have been aware that the composition (except component C) set forth in Claim 1 is well known. Examples can be found in the IDS provided by Applicants. In other words, the patentability, if any, is solely relied upon component C).

In conclusion, the claimed composition containing the "aromatic amine compound" and that containing the "organopolysiloxane containing aromatic amino groups" lack common special technical features, and the invention restriction requirement was adequately set forth in Paper No. 20080301.

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply.

/Kuo-Liang Peng/
Primary Examiner, Art Unit 1796